



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : Customer No. 035811
Examiner :
Serial No. : 10/657,461
Filed : September 8, 2003 Docket No.: 1117-R-03
Inventor : DeLuca, Michael R.
Title : PROGRAMMABLE THERMOSTAT
: INCORPORATING AIR QUALITY Confirmation No.: 8074
: PROTECTION

Dated: October 28, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Certificate of Mailing Under 37 CFR 1.8

For

Postcard

Check in the Amount of \$456.00
Amendment Transmittal Letter, in duplicate
Preliminary Amendment

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

Name of Applicant, Assignee, Applicant's Attorney
or Registered Representative:

Piper Rudnick LLP
Customer No. 35811

By: JR

Date: 10/28/03



Attorney Docket No.: 1117-R-03

In re Application of Michael R. DeLuca

Serial No.: 10/657,461

Filed: September 8, 2003

For: PROGRAMMABLE THERMOSTAT INCORPORATING AIR QUALITY PROTECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

- Small entity status of this application under 37 CFR §1.9 and §1.27 has been established by a verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR §1.9 and §1.27 is enclosed.
- No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)

(Col. 2) (Col. 3)

SMALL ENTITY

OTHER THAN
SMALL ENTITY

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PRE- VIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	* 73	-	** 51 =	22
INDEP.	* 12	-	** 3 =	6
<u>First presentation of multiple dependent claim</u>				

RATE	ADD'L FEE
x 9=	\$ 198
x43=	\$ 285
+145=	\$

OR

RATE	ADD'L FEE
x18=	\$
x86=	\$
+290=	\$

TOTAL ADDITIONAL FEE \$456.00

OR

\$0

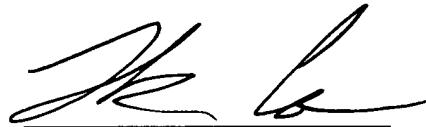
* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- Please charge my Deposit Account No. 50-2719 in the amount of \$_____.
A duplicate copy of this sheet is enclosed.
- A check in the amount of \$456.00 is attached.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2719. A duplicate copy of this sheet is enclosed.
 - Any filing fees under 37 CFR §1.16 for the presentation of extra claims.
 - Any patent application processing fees under 37 CFR §1.17 with the exception of the Issue Fee which we intend to pay by check.



Frank A. Cona
Reg. No. 38,412
Attorney for Applicant(s)

FAC:ks
(215)656-3307



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PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to an action on the merits, Applicants amend the application as follows:

10/02/2003 CCHAUUS 09000164 10657461

01 FC:2202 190.00 0P
02 FC:2201 250.00 0P